

AN ACT

ENTITLED, An Act to clarify which establishments may provide or allow the consumption of alcoholic beverages on Sundays.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 35-4-2.1 be amended to read as follows:

35-4-2.1. Notwithstanding § 35-4-81, the governing body of any municipality or county may, in its discretion, provide in any on-sale license the right to sell, serve, or allow to be consumed alcoholic beverages between the hours of eleven a.m. and twelve midnight on Sunday with the serving of food if the licensee has facilities for the serving of prepared meals from a fixed restaurant with the simultaneous seating capacity of at least:

- (1) Fifty patrons in municipalities of the first class;
- (2) Thirty-five patrons in municipalities of the second class; and
- (3) Twenty-five patrons in municipalities of the third class.

If such establishments are outside the corporate boundaries of a municipality, the population of the nearest municipality shall govern the minimum seating capacity of an establishment so located. The governing body may require such licensee to pay an additional fee of not more than two hundred dollars. The provisions of this section apply only to facilities upon which property taxes, if assessed, are currently paid.

An Act to clarify which establishments may provide or allow the consumption of alcoholic beverages on Sundays.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1105

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1105
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State